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SEP 21 2012

OFFICE OF PETITIONS

In re Patent No. 8,175,977 : DECISION ON RENEWED REQUEST
Story et al. : FOR RECONSIDERATION OF
Issue Date: May 8, 2012 : PATENT TERM ADJUSTMENT
Application No. 09/222,336 : and
Filed: December 28, 1998 : NOTICE OF INTENT TO ISSUE
Atty Docket No. ADBLE.009A : CERTIFICATE OF CORRECTION

This is a decision on the renewed petition pursuant to 37 C.F.R. § 1.705(d), filed on September 17, 2012, requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by five hundred and eleven (511) days.

On July 9, 2012, Patentee filed an original petition pursuant to 37 C.F.R. § 1.705(d), requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by 511 days. The original petition pursuant to 37 C.F.R. § 1.705(d) was dismissed via the mailing of a decision on August 25, 2012.

This renewed petition was timely filed within the period of time set forth in the prior decision.

This renewed petition pursuant to 37 C.F.R. § 1.705(d) is **GRANTED**.

The patent is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term

of the above-identified patent is extended or adjusted by **five hundred and eleven (511) days.**

Nothing in this decision shall be construed as a waiver of the requirement of 35 U.S.C. § 154(b)(4) that any civil action by an applicant dissatisfied with a determination made by the Director under 35 U.S.C. § 154(b)(3) be filed in the United States District Court for the District of Columbia within 180 days after the grant of the patent.

It is noted that Petitioner has included a \$200 petition fee, when no fee is due. As such, the \$200 fee will be refunded to Petitioner's credit card in due course.

Telephone inquiries specific to this matter should be directed to Senior Attorney Paul Shanoski at (571) 272-3225.



Paul Shanoski
Senior Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 8,175,977 B2

DATED : **May 8, 2012**

DRAFT

INVENTOR(S) : **Story, Jr. et al.**

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 370 days

Delete the phrase "by 370 days" and insert – by 511 days --